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December 7, 2016

VIA ECF

Honorable Katherine B. Forrest
United States District Judge
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 2230
New York, New York 10007

Re: *Bennett Smith -against- Thomson Reuters*
Case No.: 16-cv-8286 (KBF)

Dear Judge Forrest:

We represent Thomson Reuters (Scientific) LLC ("TR (Scientific)"), plaintiff Bennett Smith's ("Plaintiff' or "Smith") former employer, with respect to the allegations and claims contained in the complaint, filed on October 24, 2016 ("Complaint') (ECF Dkt. #1), in the above-referenced case. By way of further background and context, while the caption names as the defendant and the Complaint repeatedly refers to, as Mr. Smith's former employer, "Thomson Reuters," no such corporate entity actually exists with such a name. Moreover, neither our client, nor any other discernible related corporate entity, has yet received the mailing of the Summons and Complaint from the Secretary of State ("Secretary"), despite the Affidavit of Service ("Affidavit") filed by Plaintiff on November 30, 2016 (ECF Dkt. #7) attesting to service of such documents upon the Secretary on November 22, 2016. Nonetheless, we have become aware of this lawsuit and feel it is now appropriate, if not necessary, to reach out to the Court at this time.

Upon having carefully reviewed the ECF Docket, we respectfully now write to the Court seeking instruction and guidance, given the proceedings already had and currently pending in this case. Specifically, and notwithstanding the above-detailed pleading inaccuracies, we note the Court's Order, issued October 27, 2016 (ECF Dkt. #5), and Plaintiff's abject failure to respond to, let alone, comply with, the Order. As we read the Order, Your Honor required Mr. Smith to electronically file a letter by November 4, 2016, explaining the basis for this Court's subject matter jurisdiction and, to this end, stating whether he consents to transfer this case to the District of New Jersey. Specifically, and without belaboring this communication, the Order stated as follows:

> [I]t is hereby ORDERED that plaintiff shall file a letter not later than Friday, November 4, 2016 (1) stating why the pled basis for subject matter jurisdiction is appropriate, and (2) stating whether he consents to the Court's transfer of this action to the District of New Jersey or why the Court should maintain venue here. IT IS FURTHER ORDERED that plaintiff shall serve a copy of this Order, as well as his letter response, on defendant, and shall file proof of such service.

Id. Plaintiff did not serve TR (Scientific) or, for that matter, any other discernible related corporate entity with either the Order or his letter response, as required by the Order. Further, the docket does not reflect that Plaintiff filed anything with the Court in response to the Order, except for the aforementioned Affidavit which was filed nearly a full month after Your Honor required Plaintiff to file a letter in response to the Order. (What appears to be a subsequent directive from the Court (ECF Dkt. #6), issued on November 16, 2016, is a mistakenly filed order concerning another case currently pending before Your Honor.)

We respectfully request the Court provide instruction and guidance as to how the Court would like TR (Scientific) to proceed in light of Plaintiff's clear failures to comply with the Order. At a minimum, TR (Scientific) deferentially asks the Court to allow TR (Scientific) no less than twenty-one (21) days to respond to the Complaint from the date the Court determines it has jurisdiction over this case, based upon Plaintiff's compliance with the Order and, if allowed by the Court at this juncture, Plaintiff's filing an Amended Complaint to address the already identified incurable inaccuracies and distracting anomalies detailed above concerning references to the non-existent Thomson Reuters.

We thank Your Honor for the Court's time and courtesies in this matter.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By:____________________
Howard Sokol

HS/lr

cc: Daniel J. Kaiser, Esq., Counsel for Plaintiff (via ECF)